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In re Application of :
STOCKTON, et al. :
U.S. Application No.: 10/581,987 : DECISION ON RENEWED
PCT No.: PCT/US04/41597 :
Int. Filing Date: 13 December 2004 : PETITION UNDER
Priority Date: 12 December 2003 :
Attorney Docket No.: 1709.030002 : 37 CFR 1.47(a)
For: METHOD AND SYSTEM CONFIGURED FOR :
FACILITATING MANAGEMENT OF INTER- :
NATIONAL TRADE RECEIVABLES :
TRANSACTIONS :

This decision is in response to the applicant's filing of 28 February 2008 in the United States Patent and Trademark Office (USPTO). The filing includes a copy of a renewed petition under 37 CFR 1.47(a) purportedly originally filed on 31 August 2007.

BACKGROUND

On 02 July 2007, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47(a). Applicant was afforded two months to file any request for consideration.

On 28 February 2008, applicant filed the present petition.

DISCUSSION

As detailed in the decision mailed 02 July 2007, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items 1-3 above. Applicant has presently provided a compliant declaration satisfying the remaining item. However, the renewed petition cannot be granted at this time as there is a question as to the timeliness of the response. Applicant's present claim that a response was originally filed on 31 August 2007 is not signed by a registered attorney or patent agent. In addition, while applicant has included a stamped return postcard showing a USPTO receipt date of 31 August 2007, applicant has not included a signed statement from counsel certifying that the papers submitted on 28 February 2008 represent a true and

complete copy of the papers originally filed on 31 August 2007. Pending resolution of these issues to assure the timeliness of the reply, it is not possible to grant applicant's renewed petition under 37 CFR 1.47(a) as the application is technically abandoned for failure to provide a timely response to the decision mailed 02 July 2007.

CONCLUSION

For the reasons discussed above, a decision on applicant's renewed petition under 37 CFR 1.47(a) is being held in abeyance pending the filing of a grantable petition under 37 CFR 1.181.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a) and Petition Under 37 CFR 1.181."

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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